

PERMANENT GUARDIANSHIP /

SUBSIDIZED PERMANENT GUARDIANSHIP

Process Description

Prepared by: DCS Office of Information Systems



Permanent Guardianship / Subsidized Permanent Guardianship Process Description Document

Prepared by:

**Department of Children's Services
Office of Information Systems**

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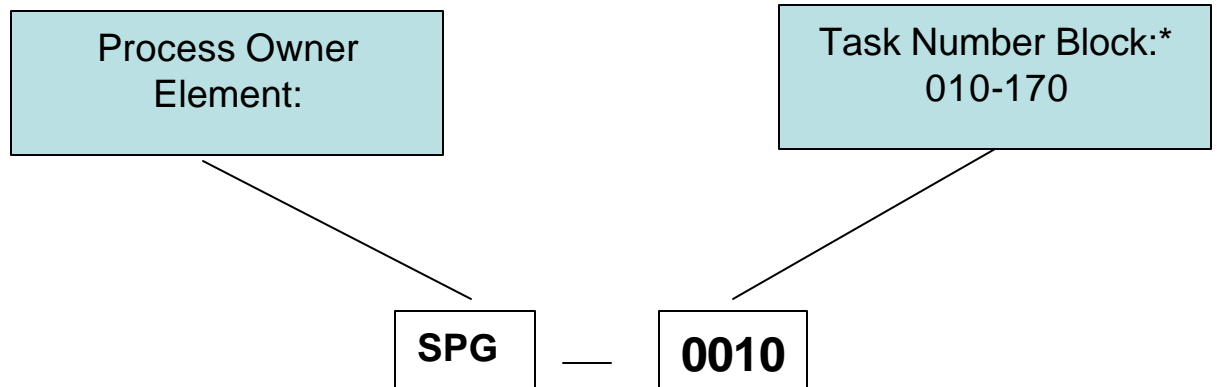
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Process Element Definitions

Task: A unit of work to be completed that is part of the overall process.

Task naming convention:



Task Owner: Indicates the person/group that is responsible for performing the task.

Participants: Individuals and organizations that are actively involved in the process/task, or whose interests may be positively or negatively affected as a result of process execution or process completion.

Inputs: Entry information used specifically to assist in accomplishing the task for which it is aligned. The same input might be applied to multiple tasks.

Performance Metric: A quantitative measurement to assess the task's success.

Performance Steps: The series of steps necessary to accomplish the given task in such manner that it meets the performance metric provided.

Outputs/Deliverables: The deliverables produced from performing the given task using the input information, standard and performance steps to accomplish the outcome. An output might feed several inputs.

*Note – Initial process flows should increment the numbering between steps by 10s. This will allow for additional steps to be inserted in the future without affecting the entire process narrative and flow.

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Process Description

Process Name: Permanent Guardianship / Subsidized Permanent Guardianship

Process Manager: Elizabeth Black; CS Executive Director 2
Office of Permanency

Process Description:

Subsidized Permanent Guardianship allowed the State of Tennessee to receive a waiver of certain provisions of title IV-E of the Social Security Act for the purposes of implementing a subsidized permanent guardianship demonstration project. This waiver demonstration, entitles the Subsidized Permanent Guardianship program, will provided a financial subsidy and post-permanency support services to relative and kin foster caregivers who assume permanent guardianship of children in the legal custody of the State of Tennessee. The over all goals of the State's Subsidized Permanent Guardianship Program are to: Increase the number of children who exit foster care and enter permanent placement arrangements with relatives or kin;

- Decrease the length of time that children placed with relatives and kin remain in out-of home placement;
- Protect children from subsequent abuse and neglect; and
- Reduce rates of re-entry into foster care among children who exit out-of-home placement into custody of relatives or kin.
- Use a family focused permanency planning approach that effectively supports families through all phases of the process.
- Address the overrepresentation of minority children in out-of-home placements and respond to the unique needs and cultures of minority children and families.

The subsidized permanent guardianship target population consists of all title IV-E eligible and non-IV-E eligible children/youth in Tennessee, aged 0 to 18 years old, who meet the following criteria:

- Have been in foster care for at least 9 of the latest 12 months
- Lived in a approved relative/kinship setting

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- Resides with the same relative/kin caregiver continuously for at least 6 months (allowing for temporary absences from the home); and
- For whom reunification and adoption are not viable permanency options.
- Children must be selected to the Experimental group in order to receive the subsidy.

Interfaces w/ other processes: Out of Home Services, Resource Family (Child Specific Recruitment) Process, Resource Family Approval, Adoption, ICPC.

Process Participants: Family Service Worker
Team Leader/Coordinator
CFTM Members
Permanency Specialist
DCS Attorney
Juvenile Court
Birth Parents
Relative/Kin Family
Child/youth
Guardian ad Litem
Child Welfare Benefits Counselor

Associated Documentation:

Supporting Policy: Draft Policies for pilot regions

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Task (SPG-010): CFTM Case Planning/On-going Assessment (Includes Goal of Permanent Guardianship)

Task Owner: Family Service Worker (FSW)

Participants: Family Service Worker, Team Leader, DCS Attorney, Permanency Specialist, Birth Parents, Child/Youth (if appropriate), Family and Child/Youth's Support Network, Relative/Kin Family, other CFTM members as appropriate.

Inputs: Child/youth is placed in the home of a Relative/Kin Family who has a significant relationship with that child/youth. Reunification has been ruled out in subsequent Child & Family Team meetings. The child/youth's permanency goal includes Permanent Guardianship. Although Adoption has not been ruled out it can be revisited as appropriate.

Performance Steps:

1. Prior to the CFTM the Family Services Worker has:
 - a. Family Service Worker meets with DCS Attorney to discuss Permanent Guardianship.
 - b. Family Service Worker makes referral to Permanency Specialist
 - c. Permanency Specialist reviews case file, contacts Relative/Kin Family.
2. Family Service Worker convenes Child and Family Team Meeting to discuss of Permanent Guardianship and educate the Relative/Kin Family on the Subsidized Permanent Guardianship waiver project.
3. If there is dual permanency goal of Adoption and Permanent Guardianship refer to the Adoption Process Map and Description.
4. The focus of the CFTM is child/youth safety, well-being and permanency.
5. The goal of the CFTM is to provide the "least restrictive – least intrusive" intervention.
6. Permanency Specialist will attend CFTM.
7. The members of the CFT review the Case Plan and On-going Assessment.
8. The Family Services Worker documents all contacts for scheduling the Child and Family Team Meeting.
9. CFT identifies and develops permanency Plan, which includes for example: referrals for services, tasks, persons responsible for tasks and time lines for task completion.
10. The Team Leader, DCS Legal and Juvenile Court of Venue reviews and approves the permanency plan.
11. Family Services Worker provides diligent search efforts to notify the birth parents of why a goal change is being considered.
12. The CFT meeting is the opportunity for the family, and other team members to explore and plan for transition for the child/youth in custody.
13. If Relative/Kin Family is not interested in Permanent Guardianship/Adoption proceed to Task 030

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Outputs/Deliverables:

- Referral to Permanency Specialist
 - Permanency/Service/Case Plan updated
 - Updated Assessment
-

Task (SPG -020): Is Relative/Kin Family Interested in being a Permanent Placement?

Task Owner: Family Service Worker

Participants: Family Service Worker, Team Leader, Permanency Specialist, Birth Parents, Child/Youth (if appropriate), Family and Child/Youth's Support Network, Relative/Kin Family and Child and Family Team Meeting Participates

Inputs: Permanency goal is permanent guardianship and can also include a dual goal of adoption.

Performance Steps:

1. Family Service Worker and Permanency Specialist review the Adoption and Permanent Guardianship options with the Relative/Kin Family.
 2. Relative/Kin Family decide on Adoption refer On-going Family Services - Out of Home Services /Adoption Process proceed to Task 030
 3. Relative/Kin Family is interested in Permanent Guardianship due to Adoption being ruled out.
 - If the Relative/Kin Family is interested proceed to Task 050.
 4. Family Service Worker and Permanency Specialist continue Lifebook work with child/youth. .
 5. Permanency Specialist Reviews the case and determines what records are needed (i.e. birth records, medical records, etc.)
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Outputs/Deliverables:

- Determination if Relative/Kin family is interested in Adoption or Permanent Guardianship
 - Updated Lifebook
 - Child specific records (i.e. birth records, SSN, medical record)
 - Permanent Guardianship/Subsidized Permanent Guardianship Assessment
-

Task (SPG -030): On-going Family Services (Out of Home Services, Adoption)

Task Owner: Family Service Worker

Participants: Family Service Worker, Team Leader, Permanency Specialist, Birth Family, Child/Youth,

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Family and Child/Youth's Support Network, Participants in Child and Family Team Meeting, Relative/Kin Family.

Inputs: Relative/Kin Family is not interested in Permanent Guardianship

Performance Steps:

1. Refer to the On-going Family Service (Out of Home Services and Adoption) Process Map and Description

Outputs/Deliverables:

- On-going Family Services - Out of Home Services or Adoption Planning

Task (SPG -040): Resource Family Recruitment Process (Child Specific)

Task Owner: Placement Service Division

Participants: Family Service Worker, Team Leader, Permanency Specialist, Birth Family, Placement Service Division, Child/Youth, Family and Child/Youth's Support Network, Participants in Child and Family Team Meeting, Relative/Kin Family.

Inputs: Relative/Kin Family is not interested in Permanent Guardianship

Performance Steps:

1. Refer to the Resource Family Recruitment (Child Specific Process) Process Map and Description

Outputs/Deliverables:

- Child/youth specific plan

Task (SPG-050): Is child/youth (or sibling) eligible for Subsidized Permanent Guardianship Waiver Project?

Task Owner: Family Service Worker

Participants: Family Service Worker, Permanency Specialist

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Inputs: Relative /Kin Family will accept Permanent Guardianship

Performance Steps:

1. Family Service Worker checks to make sure all of the information is correct and the child (ren)'s has a goal of permanent guardianship.
 2. Family Service Workers determines if the follow criteria has been met:
 - a. Is the caregiver a Relative or Kin?
 - b. Has the child/youth been in the caregiver's home for a minimum of 6 months?
 - c. Has the child/youth been in State's custody for 9 of the last 12 months?
 - d. Siblings of assigned child/youth will have the same assignment
 3. If the child/youth does not meet the eligibility criteria and Relative/Kin Family is willing to pursue Permanent Guardianship proceed to Task 100
 4. If the child/youth does not meet eligibility criteria and Relative / Kin Family does not want to pursue Permanent Guardianship, proceed to Task 010
 5. If the child/youth meets the eligibility criteria proceed to task 060.
 6. Quarterly OIS extracts a report to FTP to Westat of eligible children for Subsidized Permanent Guardianship.
 - a. Westat determines based on the extract which group the child will be assigned.
 - b. Westat will send the results to DCS Central Office for distribution to the regions.
-

Outputs/Deliverables:

- Westat receives extract from TNKids/SACWIS to determine eligibility.
 - Eligibility determined by evaluators and list of children/youth providers to DCS Staff for Subsidized Permanent Guardianship Waiver Project.
-

Task (SPG -060): Determine which group child/youth will be assigned

Task Owner: Family Service Worker

Participants: Family Service Worker, Permanency Specialist, Westat

Inputs: It has been determine that the child/youth is eligible for the Subsidized Permanent Guardianship waiver project

Performance Steps:

1. Westat based on extract determines which group the child/youth will be a participant in Control or Experimental Group.
2. If the child/youth is assigned to the Control Group, proceed to Task 070
3. If the child/youth is assigned to the Experimental Group, proceed to Task 080

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Outputs/Deliverables:

- Assignment to Control or Experimental Group
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Task (SPG-070): Control Group

Task Owner: Family Service Worker

Participants: Family Service Worker, Permanency Specialist, Relative/Kin Family, Child/Youth, Birth Family, Other Resource as determined.

Inputs: Child/Youth assigned to Control Group

Performance Steps:

1. Family Service Worker continues to work with the Relative/Kin Family to determine if the child/youth will remain in custody or exit custody to Permanent Living Arrangement until permanency is achieved.
 2. Family Service Worker and Permanency Specialist continue to update child/youth's Lifebook until permanency is achieved.
 3. Permanency Specialist and Family Services Worker continue to review the case and determine what records are needed (i.e. birth records, medical records, education records etc.) until permanency is achieved.
 4. Permanency Specialist advises Family Service Worker on services and information needs until permanency is achieved.
 5. Family Service Worker will continue to convene CFTMs according to policy and procedures until permanency is achieved.
 6. Family Service Worker will continue to complete all the tasks outlined in the Child and Family Process until permanency is achieved.
 7. Family Service Worker continues to provide On-going Family Services (Out of Home Services or Adoption) until permanency is achieved, refer to Task 030.
 8. Permanency Specialist prepares Intent to obtain Permanent Guardianship for signature of all parties.
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Outputs/Deliverables:

- CFTMs convened.
- Permanency Plan update
- Update Lifebook
- Additional records secured
- Intent to obtain Permanent Guardianship is prepared

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Task (SPG-080): Experimental Group

Task Owner: Family Service Worker, Permanency Specialist

Participants: Family Service Worker, Permanency Specialist, Permanency Specialist, Relative/Kin Family, Birth Parents, Child/Youth, Other Resource as determined.

Inputs: Child/Youth assigned to Experimental Group

Performance Steps:

1. Family Service Worker continues to work with the Relative/Kin Family to determine if the child/youth will remain in custody or exit custody to Permanent living arrangement until permanency is achieved.
2. Family Service Worker and Permanency Specialist continue to update child/youth Lifebook until permanency is achieved.
3. Permanency Specialist and Family Services Worker continue to review the case and determine what records are needed (i.e. birth records, medical records, education records etc.) until permanency is achieved.
4. Permanency Specialist advises Family Services Worker on services and information needs until permanency is achieved.
5. Family Service Worker will continue to convene CFTM, according to policy and procedures until permanency is achieved
6. Family Service Worker will continue to complete all the tasks outlined in the Child and Family Process until permanency is achieved.
7. Family Service Worker continues to provide On-going Family Services until permanency is achieved, proceed to Task 030
8. Permanency Specialist prepares Intent to obtain Permanent Guardianship for signature of all parties.

Outputs/Deliverables:

- CFTMs convened.
- Permanency Plan update
- Update Lifebook
- Additional records secured
- Intent to obtain Permanent Guardianship is prepared

Task (SPG-090): Permanency Specialist prepares Subsidized Permanent Guardianship Agreement and verifies the Relative/Kin Family has all necessary records

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Task Owner: Permanency Specialist

Participants: Family Service Worker, Permanency Specialist, Relative/Kin Family, Birth Parents, Child/Youth, Other Resource as determined.

Inputs: Child/youth has been assigned to the experimental group and decision has been made child/youth will leave custody to Permanent Guardianship. Preparations are being made for the Permanent Guardianship Hearing.

Performance Steps:

1. Permanency Specialist gathers documentation to support the level of Subsidized Permanent Guardianship for which a child/youth is eligible.
 - a. If relative/kin family is requesting a special or extraordinary rate they must completed the Special or Extraordinary Board Rates Request form
 - b. Relative/kin family, Family Services Worker, or Permanency Specialist must submit supporting documentation from service provider.
2. Permanency Specialist secures approval for level of Subsidized Permanent Guardianship rate.
 - a. If the request is for Special Circumstance Subsidized Permanent Guardianship rate the Team Coordinator has 5 working days to respond in writing to the request.
 - b. If the request is for Extraordinary Subsidized Permanent Guardianship rate to Regional Administrator/designee will work with the Regional Health Unit regarding the children who may meet criteria. The Regional Administrator/designee has 5 working days must approve the Extraordinary rate.
3. Permanency Specialist will send information to Child Welfare Benefits counselor to determine funding source of Subsidized Permanent Guardianship and eligibility for TennCare or successor plan.
4. Permanency Specialist will explain to the relative/kin family if they qualify for TennCare or successor plan.
5. Permanency Specialist prepares Subsidized Permanent Guardianship Agreement
6. Permanency Specialist assures that all parties have signed the Subsidized Permanent Guardianship Agreement.
7. Permanency Specialist makes referral to DCS Legal. Request court date for Permanent Guardianship Hearing.
8. Permanency Specialist provides the child/youth's records to the Relative/Kin Family

Outputs/Deliverables:

- Special or Extraordinary Board Rates Request form (if appropriate)

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- Signed Subsidized Permanent Guardianship Agreement
- Referral to Child Welfare Benefits Counselor
- Referral to DCS Legal
- Records provided to Relative/Kin Family
- Subsidized Permanent Guardianship rate determined
- Signed Intent to obtain Permanent Guardianship / Application for subsidy.

Task (SPG-100): Attorney files petition for Permanent Guardianship.

Task Owner: Family Service Worker

Participants: Family Service Worker, Permanency Specialist, Relative/Kin Family, Birth Parents, Child/Youth, DCS Legal, Guardian ad Litem, Other Resource as determined.

Inputs: Relative/Kin Family is willing to become the permanent guardian of the child/youth. Birth Parents will provide consent for guardianship in court (if needed).

Performance Steps:

1. Attorney files petition for Permanent Guardianship
2. Family Service Worker, Permanency Specialist, Child/Youth, Birth Parents, Relative/Kin Family, Guardian ad Litem participates in Permanent Guardianship Hearing.
3. Court transfers custody of child (ren) from DCS to Relative/Kin.
4. Permanency Specialist obtains Permanent Guardianship Order from Juvenile Court for DCS records and Relative/Kin Family.

Outputs/Deliverables:

- Permanent Guardianship Order
- Child/youth leaves DCS custody
- If child/youth is in Experimental Group will receive subsidy and will be referred to Relative Caregiver Program and Community Resources. (ASAP)
- If child/youth is in Control Group the Relative/Kin Family will be referred to Relative Caregiver Program and Community Resources (ASAP).

Task (SPG-110): Family Service Worker closes custody record & opens Subsidy record if in Subsidized Permanent Guardianship.

Task Owner: Family Service Worker, Permanency Specialist

Participants: Family Service Worker, Permanency Specialist, Child Welfare Benefits Counselor

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Inputs: Permanent Guardianship has been achieved and the Relative/Kin Family has all the necessary records.

Performance Steps:

1. Family Service Worker closes custody episode and ends the child/youth's involvement.
2. Family Service Worker closes family's case if there are no other children in the home the Department is working with the department.
3. Permanency Specialist will initiate change of circumstance to the Child Welfare Benefits Counselor.
4. If the child/youth is assigned to the Experimental Group a Subsidized Permanent Guardianship will be opened in the child/youth's name for payments in (ChipFins/SACWIS) and annual renewal.
5. Permanency Specialist will scan all remaining documentation. (SACWIS)
6. Permanency Specialist refers Relative/Kin Family to Relative Caregiver Program and Community Resources.
7. If the child/youth is receiving Subsidy the Permanency Specialist maintains Subsidized Permanent Guardianship case annual review and child/youths 18th birthday for redeterminations.

Outputs/Deliverables:

- Close Child Custody Case/Close Family Service Case if there are no other children in the home.
- Scanned documentation (SACWIS)
- Permanency Specialist completes checklist for change in circumstance.
- If the Relative/Kin Family is receiving Subsidized Permanent Guardianship Open ChipFins /SACWIS Case.
- Refer family to Relative Caregiver Program or Adoption Support And Preservation (ASAP) and Community Resources.

Task (SPG-120): Inform family of community resources

Task Owner: Permanency Specialist, Family Service Worker

Participants: Permanency Specialist, Family Service Worker, Relative/Kin Family

Inputs: Relative/Kin Family receives community services as needed.

Performance Steps:

1. Based on the particular strengths/needs of the Relative/Kin Family, the Family Service Worker and/or Permanency Specialist informs the Relative/Kin Family about resources in the community that they can access if needed; in some instances, the Family Service Worker and/or Permanency

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Specialist may even make a referral to Relative Caregiver Program or ASAP and community resource on the Relative/Kin Family's behalf.

2. Close Case Family Services/Subsidy Case

Outputs/Deliverables:

- Referral to Relative Caregiver Program or ASAP and Community Resources

Task (SPG-130): Permanency Specialist sends annual renewal letter to the Relative/Kin Family 45 days prior to the annual renewal date or child's/youth's 18th birthday.

Task Owner: Permanency Specialist

Participants: Permanency Specialist, Relative/Kin Family, Child/Youth

Inputs: Child/Youth is receiving Subsidized Permanent Guardianship and there is an annual review or significant event.

Performance Metric:

- The Permanency Specialist has sent the Subsidized Permanent Guardianship Renewal Affidavit form to the Relative/Kin Family 45 days prior to Subsidized Permanent Guardianship Annual Renewal Date or 18th birthday.
- If the Family still has not responded the Permanency Specialist has sent a certified letter to the Relative/Kin Family 15 days before the expires date or child/youth's 18th birthday.
- The Permanency Specialist has sent the Relative/Kin Family a letter informing them of termination of Subsidy if Annual renewal is not received.

Performance Steps:

1. If child/youth is receiving any amount of Subsidized Permanent Guardianship the Permanency Specialist sends annual Subsidized Permanent Guardianship Renewal Affidavit form to the Relative/Kin Family 45 days prior to renewal. (This form will also request the Relative/Kin Family to schedule an appointment with the regional office for annual review once SACWIS is complete.)
2. If the child/youth is receiving a special or extraordinary Subsidized Permanent Guardianship rate the relative/kin must also complete Special or Extraordinary Board Rates Request form.
 - a. Relative/Kin must provide documentation from the service provider to verify current diagnosis, prognosis, and summary of treatment services for previous year. Also, provide an estimated summary of services which will be necessary to meet the continued special or exceptionally uncommon needs of the child.
 - b. At the time of renewal, if the supporting documentation shows that the child's condition has improved, the state shall work with the relative/kin to

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- renegotiate the subsidy agreement to the age appropriate Subsidized Permanent Guardianship rate.
- c. If supporting documentation is not submitted for special or extraordinary rate the Subsidized Permanent Guardianship will revert to the age appropriate regular rate until the supporting documentation is submitted and approved.
 3. If the child/youth is 45 days from their 18th birthday the Permanency Specialist sends out a Notice of Termination of Subsidy.
 4. If the Relative/Kin Family sends the signed renewal letter back to the Permanency Specialist will enter the date the renewal was received.
 5. If the Relative/Kin Family does not sign and send the renewal letter back within 30 days the Permanency Specialist sends the Relative/Kin Family a certified renewal letter.
 6. If one of the follow conditions is meet the Subsidized Permanent Guardianship rate can be terminated:
 - a. Upon the Relative/kin's request
 - b. If relative/kin's legal responsibility to the child ends.
 - c. If the provider determines that the child is no longer receiving financial support from the relative/kin.
 - d. Upon the conclusion of the terms of the Subsidized Permanent guardianship Agreement.
 - e. If the child/youth marries
 - f. If the child/youth joins the military
 - g. If the child/youth dies
 - h. If the relative/kin dies. (When the person with whom a subsidy agreement is made dies before the child/youth reaches twenty-one, maintenance subsidy payments can be continued to the legal guardian named by the permanent guardian of the child until he or she reaches age eighteen or, in some cases twenty-one, once the guardian is legally recognized by the court.)
 - i. If the Department of Children's Services determines that the family fails to complete the renewal/renegotiation process with the time frames outlined in the Subsidized Permanent Guardianship Agreement.
 7. Permanency Specialist sends the Relative/Kin Family a letter confirming the approval of continuation and rate of Subsidy or denial of continuation and/or rate change of Subsidy with Right of Appeal.

Outputs/Deliverables:

- Subsidized Permanent Guardianship Renewal Affidavit form
- Special or Extraordinary Board Rates Request form (if appropriate)
- Certified Letter (if necessary)
- Letter of Approval or Denial of Continuation of Subsidy or rate change/ Notice of Termination of Subsidy.
- Right of Appeal if denial of continuation of Subsidy or rate changes.

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- Revision notice of rate change.

Task (SPG-140): Permanency Specialist sends renewal form to the Team Leader for approval if Subsidy is Extraordinary

Task Owner: Permanency Specialist

Participants: Permanency Specialist, Team Leader, Team Coordinator, Regional Administrator/Designee

Inputs: Relative/Kin Family has returned signed Subsidized Permanent Guardianship Renewal Affidavit form and Special or Extraordinary Board Rates Request form with supporting documentation

Performance Steps:

1. Permanency Specialist sends the signed Subsidized Permanent Guardianship Renewal Affidavit form and Special or Extraordinary Board Rates Request form with supporting documentation to the Team Leader or designee for approval.
2. Team Leader or designee reviews the Subsidized Permanent Guardianship Renewal Affidavit form and Special or Extraordinary Rate Request form with supporting documentation.
3. Team Leader submits documentation to support the level of Subsidized Permanent Guardianship for which a child/youth is eligible.
 - a. If the request is for Special Circumstance Subsidized Permanent Guardianship rate the Team Coordinator has 5 working days to respond in writing to the request.
 - b. If the request is for Extraordinary Subsidized Permanent Guardianship rate to Regional Administrator/designee will work with the Regional Health Unit regarding the children who may meet criteria. The Regional Administrator/designee has 5 working days must approve the Extraordinary rate.
4. Team Coordinator or Regional Administrator/designee can approve the renewal and enter the Renewal Date and Approval.
5. Team Coordinator or Regional Administrator/designee can also approve the continuation of Subsidized Permanent Guardianship funds and deny the request for special or extraordinary rate.
6. If the Team Coordinator or Regional Administrator/designee denies request for special or extraordinary rate Subsidized Permanent Guardianship, Team Coordinator or Regional Administrator/designee enters date of denial and notice is sent to the Permanency Specialist.
7. Permanency Specialist sends relative/kin family the Notice of Denial Termination, or Change in Subsidized Permanent Guardianship letter with Appeal for Fair Hearing form.
8. If the Relative/Kin Family appeals, proceed to Task 150

Outputs/Deliverables:

- Special or Extraordinary Rate of Subsidized Permanent Guardianship funds is approved or denied.

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- Subsidized Permanent Guardianship rate is modified. (if appropriate)
- Right of Appeal (if appropriate)

Task (SPG-150): Does the Relative/Kin Family appeal the renewal/revision decision?

Task Owner: Permanency Specialist

Participants: Permanency Specialist, Relative/Kin Family

Inputs: Relative/Kin Family appeals a decision of the agency, for example, a rate change or closing of Subsidy Case

Performance Steps:

1. If the Relative/Kin Family does not appeal a department decision for a rate change, proceed to Annual Renewal Process Task 130.
2. If the Relative/Kin Family does not appeal a department decision to close the Subsidy case, proceed to Inform family of community resources Task 120.
3. If the Relative/Kin Family appeals, proceed to Administrative Judge Process Task 160.
 - a. Subsidized Permanent Guardianship may continue pending the determination of an appeal, but payment will be suspended for appeals filed for circumstances identified Task 130.6.

Outputs/Deliverables:

- Annual renewal process continues (if appropriate)
- Appeals process begins (if appropriate)
- Subsidy Case is closed (if appropriate)

Task (SPG-160): Relative/Kin Family notifies Administrative Judge they want to appeal (Within 10 business days of the date the notice was sent)

Task Owner: Permanency Specialist

Participants: Permanency Specialist, Relative/Kin Family, Administrative Judge

Inputs: Relative/Kin Family files an appeal of department's decision.

Performance Metric: The Relative/Kin Family has filed an Appeal within 10 days business dates of the notice of closure or change in rate is sent.

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Performance Steps:

1. Relative/Kin Family completes Right to Appeal form and notifies Permanency Specialist they want to appeal (Within 10 days of the date notice was sent).
 2. Administrative Procedures Division notifies the appropriate county office if an appeal of subsidized Permanent Guardianship is received. Once notified by the Administrative Procedures Division, the county must follow the direction of that office to ensure due proceeds protocol is followed.
 3. Permanency Specialist completes and appeal summary as directed by the Administrative Procedures Division.
 4. Permanency Specialist sends Appeal Summary to Administrative Procedures Division.
 5. Administrative Procedures Division sets hearing date.
 6. Hearing is held with the burden of proof on the Relative/Kin Family (Permanency Specialist attends).
-

Outputs/Deliverables:

- Rights to Appeal
 - Appeal Summary
 - Appeal Hearing
-

Task (SPG-170): Appeal was successful?

Task Owner: Permanency Specialist

Participants: Permanency Specialist, Relative/Kin Family

Inputs: Appeal Hearing is held and decision rendered.

Performance Steps:

1. If the appeal to reopen the Subsidy was not successful, the decision of the department stands and the Subsidy case will remain closed. Inform family of community resources, proceed to Task 120.
2. If the appeal of a rate change was not successful the decision of the department stands and the rate remains unchanged. Proceed to Annual renewal process, Task 130.
3. If appeal was successful, proceed to Task 130
 - Permanency Specialist will reopen and reinstate Subsidy at prior rate if subsidy case had been closed. The Subsidy may or may not be retroactive depending on the Judge's verdict.
 - Permanency Specialist will establish a new Subsidy rate and complete agreement if subsidy case remained open while rate was appealed. The new rate may or may not

PERMANENT GUARDIANSHIP /

SUBSIDIZED PERMANENT GUARDIANSHIP

Process Description

Prepared by: DCS Office of Information Systems



be retroactive depending on the Judge's verdict.

Outputs/Deliverables:

- Subsidy case will remain as it was at the time of the appeal being filed, if never closed.
 - Subsidy Case is reopened and Subsidy reinstated.
 - Subsidy amount is changed.
 - Relative/Kin Family signs new Subsidized Permanent Guardianship Agreement for rate change (If appropriate)
 - Annual renewal process, proceed to Task 130
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PERMANENT GUARDIANSHIP /

SUBSIDIZED PERMANENT GUARDIANSHIP

Process Description

Prepared by: DCS Office of Information Systems



Process Owner Sign-Offs

Signature on File

10/02/2006

Elizabeth Black, Executive Director, Office of Permanency

Date

Signature on File

09/22/2006

Julie Flannery, CS Program Director, Foster Care, Adoptions

Date